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11 Legal Title Trustee*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 11 PROF-2013-S3 LEGAL TITLE TRUST, BY
15 12 U.S. BANK NATIONAL ASSOCIATION, AS
16 13 LEGAL TITLE TRUSTEE,

17 14 Plaintiff,

18 15 vs.

19 16 SUMMIT REAL ESTATE GROUP, INC., a
20 17 Nevada corporation; PREMIER ONE
21 18 HOLDINGS, INC., a Nevada Corporation;
22 19 ELKHORN COMMUNITY ASSOCIATION,
23 20 a Nevada non-profit Corporation; ATC
24 21 ASSESSMENT COLLECTION GROUP, LLC
25 22 FKA ANGIUS & TERRY COLLECTIONS
26 23 LLC, a Nevada Limited-Liability Corporation;
27 24 F. BONDURANT, LLC, a Nevada Limited-
28 25 Liability Company; DANNY, LLC, a Nevada
26 26 Limited-Liability Company,

27 27 Defendants.

28 28 Case No.: 2:17-cv-02080-APG-PAL

29 **STIPULATION AND ORDER
30 DISCLAIMING INTEREST AND
31 DISMISSING DEFENDANT SUMMIT
32 REAL ESTATE GROUP, INC.**

33 Plaintiff, PROF-2013-S3 Legal Title Trust, by U.S. Bank National Association, as Legal
34 Title Trustee (hereinafter “U.S. Bank”), and Defendant, Summit Real Estate Group, Inc.
35 (hereinafter “Summit”), by and through their respective counsel of record, hereby stipulate and
36 agree as follows:

1 WHEREAS the above-captioned action concerns Defendant, Elkhorn Community
2 Association's (the "HOA") NRS Chapter 116 non-judicial foreclosure sale on or about January
3 9, 2013 ("HOA Sale") involving certain real property located in Clark County, Nevada,
4 commonly known as 8040 Tailwind Avenue, Las Vegas, NV 89131; APN: 125-16-315-059;

5 WHEREAS U.S. Bank filed its Complaint on August 1, 2017, alleging several causes of
6 action against Summit in connection with the HOA Sale and the Property [ECF No. 1];

7 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that Summit
8 hereby disclaims any and all interest in the Property;

9 IT IS FURTHER STIPULATED AND AGREED that Summit shall be dismissed with
10 prejudice;

11 IT IS FURTHER STIPULATED AND AGREED that within thirty (30) days after
12 execution of this stipulation and order, Summit shall provide to U.S. Bank its files and/or
13 documents with respect to the real property located at 8040 Tailwind Avenue, Las Vegas, NV
14 89131; APN: 125-16-315-059 concerning the HOA Sale, subject to any and all applicable
15 objections and privileges;

16 IT IS FURTHER STIPULATED AND AGREED that, upon proper notice by U.S. Bank
17 in accord with the Federal Rules of Civil Procedure, Summit shall make available a
18 knowledgeable witness for deposition limited to the HOA Sale of the Property, and subject to
19 any and all applicable objections and privileges. Summit shall be provided an opportunity to
20 coordinate with U.S. Bank's counsel for a mutually convenient time, date, and location of such
21 deposition. Summit reserves all rights, defenses, and remedies relative to the notice of
22 deposition.

23 IT IS FURTHER STIPULATED AND AGREED that nothing in this stipulation and
24 order should be construed as intended to benefit any other party not identified as the parties
25 hereto;

26 IT IS FURTHER STIPULATED AND AGREED that nothing in this stipulation and
27 order is intended to be, or will be, construed as an admission of the claims or defenses of the
28 parties;

1 IT IS FURTHER STIPULATED AND AGREED that each side will bear its own
2 attorney's fees and costs through the date of entry of the Court's Order granting this Stipulation.

3 IT IS SO STIPULATED AND AGREED.

4 WHEREFORE, the undersigned request this Court enter an Order granting the above
5 Stipulation.

6 DATED this 13th day of August, 2018.

DATED this 13th day of August, 2018.

7 WRIGHT, FINLAY & ZAK, LLP

8 THE WRIGHT LAW GROUP, P.C.

9 /s/ Paterno C. Jurani, Esq.

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13 Attorneys for Plaintiff, USROF III Legal Title
Trust 2015-1, by U.S. Bank National
14 Association, as Legal Title Trustee

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Attorneys for Defendant, Summit Real Estate
Group, Inc.

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16
17 **ORDER**

18 **IT IS SO ORDERED.**

19 Dated: August 14, 2018.

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22 UNITED STATES DISTRICT COURT JUDGE

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